

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

**LAW OFFICES OF KARIM ARZADI**

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Attorneys for Plaintiff

PETRA O. TUOMI, :  
Plaintiff, :  
vs. : Docket No.:  
WAGOY IBRAHIM, UNITED STATES :  
POSTAL SERVICE, UNITED STATES :  
POSTAL SERVICE NATIONAL TORT :  
CENTER, UNITED STATES OF AMERICA, :  
STATE OF NEW JERSEY, :  
NEW JERSEY DEPARTMENT OF :  
TRANSPORTATION, GEICO INSURANCE :  
COMPANY, BRANDON JAN-TAE MONTAQUE, :  
EARL L. WILLIAMS, JOHN DOES :  
1-10 (fictitious names), :  
RICHARD ROES 1-10 (fictitious :  
names), ABC COMPANIES, INC. 1-10 :  
(fictitious names), :  
Defendants. :  
CIVIL ACTION  
COMPLAINT, JURY DEMAND  
AND CERTIFICATION

I. Parties

1. Plaintiff, PETRA O. TUOMI resides at 22 Jewett Avenue, Jersey City, New Jersey 07304.
2. Defendant, Wagoy Ibrahim, resides at 545 Kingsland Street, Nutley, New Jersey 07110.
3. Defendant, United States Postal Service, is a government/agent/department of the United States of America, with a location of 1200 Harrison Avenue, Kearny, New Jersey 07032.
4. Defendant, United States Postal Service National Tort Center is located at 1720 Market Street, Room 2400, St. Louis, Missouri 63155.

5. Defendant, United States of America, is located at the United States Attorney's Office, District of New Jersey, Peter Rodino Federal Building, 970 Broad Street, # 806, Newark, New Jersey 07102.

6. Defendant, State of New Jersey, is located at the Office of Attorney General, Hughes Justice Complex, CN 080, Trenton, New Jersey 08625.

7. Defendant, New Jersey Department of Transportation, is located at 1035 Parkway Avenue, P.O. Box 600, Trenton, New Jersey 08625.

8. Defendant, Geico Insurance Company, is located at P.O. Box 9515, Fredericksburg, Virginia 22403-9528.

9. Defendant, Brandon Jan-Tae Montague, resides at 72 Woodlawn Avenue, Jersey City, New Jersey 07305.

10. Defendant, Earl L. Williams, resides at 355 Woodward Street, Jersey City, New Jersey 07304.

### II. Jurisdiction

#### 28 U.S.C. section 1346 (b)

11. This case is brought under the Federal Tort Claims Act and jurisdiction is predicated pursuant to 28 U.S.C. section 1346 (b).

12. In accordance with 28 U.S.C. section 2401 (b) and 39 C.F. R. 912.9 (a) an administrative claim was presented to the United States Postal Service.

### III. Venue

#### 28 U.S.C. section 1402 (b)

13. The Plaintiff, PETRA O. TUOMI resides at 22 Jewett Avenue, Jersey City, New Jersey 07304.

14. Therefore, pursuant to 28 U.S.C. Section 1402 (b) venue lies in the District of New Jersey.

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AS TO THE DATE OF ACCIDENT JULY 8, 2020

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FIRST COUNT

1. On or about July 8, 2020, the Plaintiff, PETRA O. TUOMI, was the operator of a motor vehicle which was proceeding in a southerly direction along Bergen Avenue at or near its intersection with John F. Kennedy Blvd, in the City of Jersey City, County of Hudson, and State of New Jersey.

2. At the same time and place aforesaid, the Defendant(s), United States Postal Service, a government /agent/department of the United States of America, and/or United States Postal Service National Tort Center and/or State of New Jersey and/or New Jersey Department of Transportation was/were the owner(s) of a motor vehicle being operated by his/her/its agent, servant, and/or employee, the Defendant, Wagoy Ibrahim, which was proceeding in a southerly direction along Bergen Avenue at or near its intersection with John F. Kennedy Blvd, in the City of Jersey City, County of Hudson, and State of New Jersey.

3. At the time and place aforesaid, the Defendant(s), John Does 1-10 and/or ABC Companies, Inc. 1-10, (fictitious names) was/were the owner(s) of a motor vehicle, which was/were being operated by his/her/its agent(s), servant(s) and/or employee(s), the Defendant(s), Richard Roes 1-10 (fictitious names), along the aforesaid roadway(s).

4. The aforesaid Defendant(s), John Does 1-10, Richard Roes 1-10

and/or ABC Companies, Inc. 1-10, are fictitious names intended to identify any and all parties including individuals, corporations and/or other entities whose identities are presently unknown to the Plaintiff who together with the named Defendants, were the owners and/or operators of vehicles upon the aforesaid roadways and whose negligence contributed to Plaintiff's injuries.

5. At the time and place aforesaid, the Defendants, or either of them, so negligently, carelessly and/or recklessly operated and/or maintained and/or controlled their motor vehicles as to cause same to strike and collide with Plaintiff's motor vehicle.

6. As a direct and proximate result of the aforesaid negligence of the Defendants, or either of them, the Plaintiff, PETRA O. TUOMI, sustained serious and permanent physical injuries, suffered, still suffers and will continue to suffer from great physical pain and mental anguish, was confined, is and will continue to be so confined, was obliged, still is, and will in the future be obligated to expend large sums of money for medical and other needed care of the aforesaid injuries, was prevented, is, and will in the future be prevented from pursuing her usual course of conduct and employment and in the future will be caused great pain and suffering, to her great loss and damage.

**WHEREFORE**, the Plaintiff, PETRA O. TUOMI, demands judgment against the Defendants, Wagoy Ibrahim, United States Postal Service, a government/agent/department of the United States of America, United States Postal Service National Tort Center, State of New Jersey, New Jersey Department of Transportation, John Does 1-10 (fictitious names), Richard Roes 1-10 (fictitious names) and ABC Companies, Inc. 1-10 (fictitious names), either jointly, severally or

in the alternative, for damages, together with interest and costs of this suit and/or such other relief as this Court may deem fair and proper.

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AS TO THE DATE OF ACCIDENT NOVEMBER 10, 2021

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SECOND COUNT

1. On or about November 10, 2021, the Plaintiff, PETRA O. TUOMI, was the operator of a motor vehicle which was proceeding in a southerly direction along Dr. Martin Luther King, Jr. Drive at or near its intersection with Orient Avenue, in the City of Jersey City, County of Hudson, and State of New Jersey.

2. At the same time and place aforesaid, the Defendant, Earl L. Williams was the owner(s) of a motor vehicle being operated by his agent, servant, and/or employee, the Defendant, Brandon Jan-Tae Montaque, which was proceeding in a southerly direction along Dr. Martin Luther King, Jr. Drive at or near its intersection with Orient Avenue, in the City of Jersey City, County of Hudson, and State of New Jersey.

3. At the time and place aforesaid, the Defendant(s), John Does 1-10 and/or ABC Companies, Inc. 1-10, (fictitious names) was/were the owner(s) of a motor vehicle, which was/were being operated by his/her/its agent(s), servant(s) and/or employee(s), the Defendant(s), Richard Roes 1-10 (fictitious names), along the aforesaid roadway(s).

4. The aforesaid Defendant(s), John Does 1-10, Richard Roes 1-10 and/or ABC Companies, Inc. 1-10, are fictitious names intended to identify any and all parties including individuals, corporations and/or other entities whose identities are presently unknown to the

Plaintiff who together with the named Defendants, were the owners and/or operators of vehicles upon the aforesaid roadways and whose negligence contributed to Plaintiff's injuries.

5. At the time and place aforesaid, the Defendants, or either of them, so negligently, carelessly and/or recklessly operated and/or maintained and/or controlled their motor vehicles as to cause same to strike and collide with Plaintiff's motor vehicle.

6. As a direct and proximate result of the aforesaid negligence of the Defendants, or either of them, the Plaintiff, PETRA O. TUOMI, sustained serious and permanent physical injuries, suffered, still suffers and will continue to suffer from great physical pain and mental anguish, was confined, is and will continue to be so confined, was obliged, still is, and will in the future be obligated to expend large sums of money for medical and other needed care of the aforesaid injuries, was prevented, is, and will in the future be prevented from pursuing her usual course of conduct and employment and in the future will be caused great pain and suffering, to her great loss and damage.

**WHEREFORE**, the Plaintiff, PETRA O. TUOMI, demands judgment against the Defendants, Brandon Jan-Tae Montaque, Earl L. Williams, John Does 1-10 (fictitious names), Richard Roes 1-10 (fictitious names) and ABC Companies, Inc. 1-10 (fictitious names), either jointly, severally or in the alternative, for damages, together with interest and costs of this suit and/or such other relief as this Court may deem fair and proper.

**THIRD COUNT**

1. The Plaintiff repeats the allegations contained in the Second Count of the Complaint and makes same a part hereof as though fully set forth at length herein.

2. At the time of the accident, PETRA O. TUOMI, maintained an automobile insurance policy with the Defendant, Geico Insurance Company, under Policy No. 4620361453, which policy contained an uninsured/underinsured motorist provision.

3. The vehicle(s) owned and operated by the Defendant(s) named herein do not have sufficient insurance coverage to compensate the Plaintiff, PETRA O. TUOMI, for the damages and serious and permanent injuries she sustained.

4. The Defendant has wrongfully failed and refused to provide underinsured benefits to Plaintiff and to intervene in Plaintiff's underlying action.

**WHEREFORE**, the Plaintiff, PETRA O. TUOMI, demands judgment against the Defendant, Geico Insurance Company, for damages, together with interest and costs of this suit and/or such other relief as this Court may deem fair and proper.

LAW OFFICES OF KARIM ARZADI



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KARIM ARZADI, ESQ.  
Attorney for Plaintiff

Dated: June 30, 2022

DESIGNATION OF TRIAL COUNSEL

Ernest Blair, Esq. is hereby designated as trial counsel in the above matter.

LAW OFFICES OF KARIM ARZADI



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KARIM ARZADI, ESQ.  
Attorney for Plaintiff

Dated: June 30, 2022

DEMAND FOR TRIAL BY JURY

The Plaintiff demands a trial by jury as to all issues herein.

LAW OFFICES OF KARIM ARZADI



KARIM ARZADI, ESQ.  
Attorney for Plaintiff

Dated: June 30, 2022

CERTIFICATION

The undersigned hereby certifies that the matter in controversy is not now the subject of any other pending action in any court and is likewise not the subject of any pending arbitration proceeding. The Plaintiff is not aware of any other parties or the true identities of other parties who should be joined in this action at this time. The complaint will be amended when true identities of the fictitious Defendants become known to the Plaintiff.

LAW OFFICES OF KARIM ARZADI



KARIM ARZADI, ESQ.  
Attorney for Plaintiff

Dated: June 30, 2022